



Dispute Resolution Services

Page: 1

Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes:

OPR, MNR, MNSD, MNDC, FF

Introduction

This hearing was convened in response to an application by the landlord pursuant to the *Residential Tenancy Act* (the Act) for Orders as follows:

1. An Order of Possession - Section 55;
2. A Monetary Order for unpaid rent / loss of revenue - Section 67;
3. An Order to retain the security deposit - Section 38
4. An Order to recover the filing fee for this application - Section 72.

I accept the landlord's evidence that despite the tenant having been personally served with the application for dispute resolution and notice of hearing in accordance with Section 89 of the Residential Tenancy Act (the Act) the tenant did not participate in the conference call hearing.

The landlord was given full opportunity to be heard, to present evidence and to make submissions. The landlord advised the hearing that the tenant vacated March 29, 2015, therefore an Order of Possession is not required.

Issue(s) to be Decided

Is the landlord entitled to the monetary amounts claimed?

Background and Evidence

The tenancy began on September 01, 2014 and has since ended. Rent was in the amount of \$950.00 payable in advance. At the outset of the tenancy, the landlord collected a security deposit from the tenant in the amount of \$200.00. The tenant failed to pay all rent owed during the tenancy and on January 05, and February 19, 2015 the landlord served the tenant with notices to end tenancy for non-payment of rent. The tenant further failed to pay all rent in the month of March 2015, with the result that the tenant was in arrears in the amount of \$1200.00 at the time they vacated.

Analysis

Based on the landlord's undisputed evidence I find that the tenant was served with notices to end tenancy for non-payment of rent and I find the notices to be valid. The tenant has not paid the outstanding arrears of rent and did not dispute the notices, and vacated.

I find that the landlord has established a monetary claim for unpaid rent. The landlord is also entitled to recovery of the \$50.00 filing fee. The security deposit will be off-set from the award made herein.

Calculation for Monetary Order

Rental Arrears	\$1200.00
Filing Fee for the cost of this application	50.00
Less Security Deposit	-200.00
Total Monetary Award to landlord	\$1050.00

Conclusion

I Order that the landlord retain the security deposit of \$200.00 in partial satisfaction of the claim and I grant the landlord an Order under Section 67 of the Act for the balance due of **\$1050.00**. If necessary, this Order may be filed in the Small Claims Court and enforced as an Order of that Court.

This Decision is final and binding on both parties.

This Decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the Residential Tenancy Act.

Dated: April 29, 2015

Residential Tenancy Branch

